

Interview Summary	Application No. 08/169,127	Applicant(s) SHINOHARA ET AL.	
	Examiner Marianne L. Padgett	Art Unit 1762	

All participants (applicant, applicant's representative, PTO personnel):

(1) Marianne L. Padgett. (3)_____.

(2) Luan Do. (4)_____.

Date of Interview: 19 July 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: Claims record, especially independent claims.

Identification of prior art discussed: Shinohara et al. (6,261,856 B1).


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See continuation page.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

☒ attached papers concerning parent cases 07/626,419 discussed in interview


MARIANNE PADGETT
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Art Unit: 1762

Continuation of interview summary

Discussed the 6/27/2006 amendments, particularly noting that the scope of the semiconductor layer has been broadened from "amorphous silicon" to "non-single crystalline semiconductor", which will require an expansion of the search, however other limitations, which narrowed the claims have also been added. It was noted that the amended limitation for removing the insulating layer in claims 61 & 71 are removing a layer that has not been positively deposited, hence creating a logic problem. The amendments to independent claims 66 & 76 were noted to add new limitations to dopants, and new independent claims 140 & 141 are to particular gate insulating structures. These three sets of new limitations need to be reviewed or considered for potential species differences for the overall general process.

Discussed means of entering amendments to parent case 07/626,419, for which a petition has been granted to allow amendment of the specification to correct typographical errors (note attached papers & related cases 07/288,186 & 07/097,190), however the PTO cannot find these paper files, so the amendments have not yet been considered. The examiner knows of no way of considering/entering an amendment to a case to which she has no access, hence advises that requesting reconstruction of the file(s) would be appropriate.

MLP/dictation software

7/19/2006

A handwritten signature in black ink, appearing to be 'MLP', is written over the date '7/19/2006'.

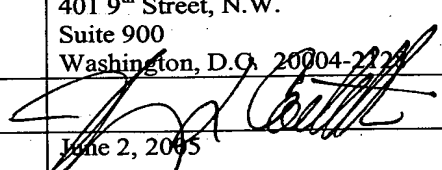
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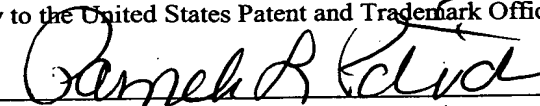
1

Attachment to PTOL-413 in 08/169,127

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	07/626,419	
	Filing Date	December 14, 1990	
	First Named Inventor	Hisato Shinohara et al.	
	Group Art Unit	1762	
	Examiner Name	M. Padgett	
Total Number of Pages in This Submission		Attorney Docket Number	740756-538

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Substitute Amendment of Abandoned Application Serial No. 07/626,419 <input checked="" type="checkbox"/> Change of Correspondence Address
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey L. Costellia - Reg. No. 35,483 Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2724
Signature	
Date	June 2, 2005

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amended, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.	
June 2, 2005 Date	 Signature Pamela L. Patrick Typed or printed name

2

attached to PTOL-413

d 08/16/9127

Docket No. 740756-538

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hisato Shinohara et al.

Serial No. 07/626,419

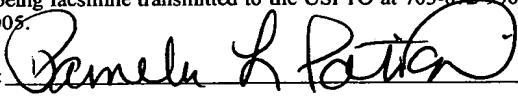
Filed: December 14, 1990

For: METHOD OF PRODUCING THIN FILM
PATTERNS ON A GLASS SUBSTRATE

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at 703-872-9306, on June 2, 2005.

Signature:



Name: Pamela Patrick

SUBSTITUTE AMENDMENT OF ABANDONED APPLICATION
SERIAL NO. 07/626,419

Mail Stop Amended
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please amend the subject application as follows:

attach to PDL-413 of 08/169,127

Docket No. 740756-538

Serial No. 07/626,419

Page 2

IN THE SPECIFICATION:

Please amend the first paragraph of the specification as follows:

The application is a continuation of Serial No. 288,186 filed December 22, 1988, now abandoned, which was a continuation-in-part of Serial No. ~~07/97,190~~ 07/097,190 filed September 16, 1987 (now U.S. Patent No. 4,861,964)

attach to PTOL-413 of 08/169,127

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Docket No. 740756-538

Serial No. 07/626,419

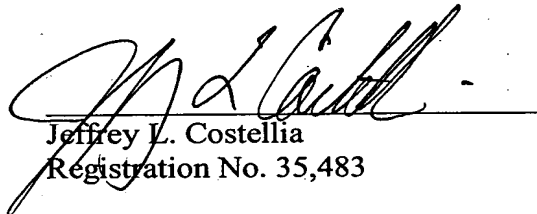
Page 3

REMARKS

The subject abandoned application is presently being amended to correct a typographical error, noted above, that occurred when effecting the completion of the chain of co-pendency between application Serial No. 08/169,127 and U.S. Patent No. 4,861,964.

Specifically, amendment of the subject abandoned application was granted on Petition in a Decision dated May 13, 2005 (copy attached). In this decision, the Office of Petitions indicated on page 2 thereof that the amendment filed in the instant application miscaptioned Application No. 07/097,190 as "01/97,190." Petitioner was requested therein to file a substitute amendment correctly identifying all applications for which benefit under 35 U.S.C. 120 is being claimed. As a result, entry of this substitute amendment should be considered acceptable and entry is respectfully requested.

Respectfully submitted,



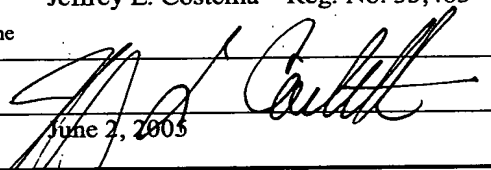
Jeffrey L. Costellia
Registration No. 35,483

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000

5

attach to PTOL-413 of 08/169,127

CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i> Address to: Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	Application Number	07/626,419
	Filing Date	December 14, 1990
	First Named Inventor	Hisato SHINOHARA et al.
	Art Unit	1762
	Examiner Name	Padgett
	Attorney Docket Number	740756-538

Please change the Correspondence Address for the above-identified application to:		<i>Place Customer Number Bar Code Label here</i>	
<input checked="" type="checkbox"/> Customer Number	<div style="border: 1px solid black; padding: 2px; display: inline-block;">22204</div> → <i>Type Customer Number here</i>		
OR			
<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	ZIP	
Country			
Telephone	Fax		
<p>This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).</p> <p>I am the:</p> <p><input type="checkbox"/> Applicant/Inventor</p> <p><input type="checkbox"/> Assignee of record of the entire interest. Certificate under 37 CFF 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input checked="" type="checkbox"/> Attorney or agent of record.</p> <p><input type="checkbox"/> Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____</p>			
Type or Printed Name	Jeffrey L. Costellia - Reg. No. 35,483		
Signature			
Date	June 2, 2005		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			



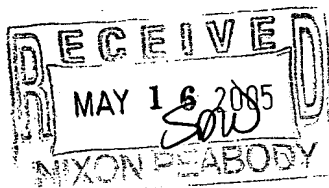
UNITED STATES PATENT AND TRADEMARK OFFICE

attach to PTOL-413 of 08/169,127

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United States Patent and Trademark Office
P.O. Box 1450
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www.uspto.gov
OW May-05

Paper No.

SIXBEY, FRIEDMAN, LEEDOM & FERGUSON
2010 CORPORATE RIDGE
SUITE 600
MCLEAN VA 22102



COPY MAILED
MAY 13 2005
OFFICE OF PETITIONS

In re Application of
Shinohara et al.
Application No. 07/626,419
Filed: 14 December, 1990
Atty Docket No. 756-945

ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed on 19 August, 2004 (certificate of mailing date 11 March, 2004), requesting entry of an amendment to the specification to insert a reference to an earlier-filed application pursuant to the provisions of 35 U.S.C. § 120.

The petition is GRANTED.

The record indicates that this application was co-pending with earlier-filed nonprovisional application No. 07/288,186, filed on 22 December, 1998, which was co-pending with earlier-filed nonprovisional application No. 07/097,190, which was filed on 16 September, 1987. Petitioner requests that this abandoned application be amended by inserting a reference to the earlier-filed application.

35 U.S.C. § 120 permits entry of a subsequent amendment to an abandoned application in applications filed prior to 29 November, 2000, to include the benefit of an earlier filing date for purposes other than prosecution.¹

In view thereof, the request for entry of an amendment to insert a reference to the above-noted earlier-filed applications is granted.

¹ See Sampson v. Commissioner of Patents and Trademarks, 195 USPQ 136 (D.C.D.C. 1976).

Application No. 07/626,419

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attach to PTOL-413 of 08/169,127

It is noted that the amendment filed with the present petition miscaptioned Application No. 07/097,190 as "07/97,190". However, as petitioners provided the correct U.S. Patent number which issued from the above-identified application, the Office was able to determine the correct application number. Nevertheless, petitioners should file a substitute amendment correctly identifying all applications for which the benefit under 35 U.S.C. § 120 is being claimed.

The address listed on the petition is different than the correspondence address of record. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

The petition fee of \$130.00 will be charged to counsel's deposit account, No. 19-2380, as authorized in the present petition.

The application file is being forwarded to Technology Center 1700 for entry of the amendment.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

cc: NIXON & PEABODY LLP
401 9TH STREET, SUITE 900
WASHINGTON DC 20004-2128